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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew Bradbury et al. Docket No.: DSP/HB/07.01/US
Serial No.: 09/856,907 Examiner: Jeffrey S. Lundgren
Filed : 05/29/2001 Art Unit: 1639
For : METHODS FOR THE PREPARATION OF NUCLEIC ACID
LIBRARIES AND USED THEREOF

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RESPONSE/INTERVIEW SUMMARY

Sir:

In response to the Office Action dated 05/10/2010, Applicants present an Interview Summary and Remarks, and kindly request entry of the same into the record.

The Interview Summary begins on page 2 of this paper. Remarks begin on page 3 of this paper.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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Kenneth K Sharples

SN 09/856,907
Atty Docket No. DSP/HB/07.01/US

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INTERVIEW SUMMARY

On August 9, 2010, a telephonic interview was conducted with (1) Examiner Lundgren and SPE Christopher Low, on behalf of the Office; and, (2) inventor Andrew Bradbury, attorney Seth Fidel (Reg. No. 38,449), and attorney-of-record Kenneth Sharples on behalf of the Applicants. The interview resulted in an agreement by Examiner Lundgren to withdraw the rejection over Johnson et al. and allow all pending claims.

During the interview, the key issue was identified when the Examiner stated that he understood the claimed invention to be drawn to a method involving two distinct populations of nucleic acid molecules, which two populations are recombined to form another population of molecules. The Examiner had initially understood that the first and second sequence segments of subparts (a) and (b) of claim 1 represented two distinct and different populations of molecules/vectors, which could have different origins of replication, and that the claimed methods would therefore read on the method disclosed in Johnson et al. Applicants explained that, in the claimed methods, all molecules in the library are the same except for the variable portion thereof, that subparts (a) and (b) of claim 1 are directed to sub-sequences within the same nucleic acid molecule, and that each nucleic acid molecule member of the library has the same origin(s) of replication. After this discussion, the Examiner stated that he understood that the claimed methods operate by recombining members of a single population of molecules, rather than recombining two populations of molecules as in Johnson et al. The Examiner then indicated that the rejection over Johnson would be withdrawn, and there being no other rejections of record, that all pending claims would be allowed.